

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No.55456

Woodrow Leland Nash  
Joanne Mary Nash

7542 Berkshire Road

Respondents

FINDINGS OF FACT AND CONCLUSION OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on February 24, 2009, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-312 (a)(2) failure to remove bulk trash in the rear; failure to treat for rats in the rear on residential property zone DR 10.5 known as 7542 Berkshire Road, 21222.

On February 9, 2009, pursuant to § 3-6-205, Baltimore County Code, a Code Enforcement citation was issued. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,800.00 (three thousand eight hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was properly issued on January 27, 2009 for nuisance, accumulation of trash and debris, and need to seal exterior openings from rodents and pests. Photographs show accumulated bulk trash and rat holes in the rear yard.

B. Re-inspection shows continued presence of trash and debris. This constitutes a continued violation of County Code provisions prohibiting conditions that are conducive to rat harborage. However, the County Inspector reports that the Respondent is taking some action including rat extermination.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$2000 (two thousand dollars).

IT IS FURTHER ORDERED that the County inspect the property within 30 days to determine whether all violations have been corrected. If the Respondent fails to correct the violations, then the civil penalty shall be imposed and placed as a lien upon the property, and additional civil penalties may be imposed for continued violations. If the trash and debris are removed, the rats are exterminated, and the rat holes are properly sealed, the civil penalty will be rescinded.

ORDERED this 25<sup>th</sup> day of February 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer